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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/574,317 05/19/00 POLCYN

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EXAMINER

WM01/0504

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RIIT, R

ART UNIT

PAPER NUMBER

2642

DATE MAILED:

05/04/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/574,317

Applicant(s)  
Polcyn

Examiner  
Bing Bul

Art Unit  
2642



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on Feb 20, 2001

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-20 is/are pending in the application

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-20 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some\* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. This action is in response to applicant's response filed on 02/20/01. Claims 1-20 are now pending in the present application. **This action is made final.**

#### *Claim Rejections - 35 U.S.C. § 102*

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by King et al (US Pat No. 5,872,841).

**Regarding claim 1**, with respect to Figure 1, King et al teach a method and system for scheduling a telephone call from a calling party directed to a particular called party comprising:

calendaring information with respect to said called party stored in calendar database of calender system (on a general processor-based system) (col 4, ln 26-52); and

agent module (means) for providing select portions of said calendaring information to a voice mail system (an automatic call routing system), wherein a call routing scheme of said voice mail system (call routing system) is modified to route calls as a function of said select portions of said calendaring information (col 4, ln 54-col 5, ln 18 and col 5, ln 62-col 6, ln 60).

**Regarding claim 2**, with respect to Figure 1, King et al teach a method and system for scheduling a telephone call from a calling party directed to a particular called party, wherein said calendaring information comprises file associated with a electronic calendar program operable on a personal computer (col 4, ln 26-col 5, ln 18 and col 6, ln 55-60).

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**Regarding claim 3**, with respect to Figure 1, King et al teach a method and system for scheduling a telephone call from a calling party directed to a particular called party, wherein said providing means is operable automatically (col 4, ln 54-col 5, ln 18 and col 5, ln 62-col 6, ln 60).

**Regarding claim 4**, with respect to Figure 1, King et al teach a method and system for scheduling a telephone call from a calling party directed to a particular called party, wherein said automatic operation of said providing means is initiated upon modification of said calendaring information stored on said general purpose processor-based system (col 4, ln 54-col 5, ln 18 and col 5, ln 62-col 6, ln 60).

**Regarding claim 5**, with respect to Figure 1, King et al teach a method and system for scheduling a telephone call from a calling party directed to a particular called party, wherein said automatic operation of said agent module (providing means) is initiated at a preselected time interval (col 4, ln 54-col 5, ln 18 and col 5, ln 62-col 6, ln 60).

**Regarding claim 6**, with respect to Figure 1, King et al teach a method and system for scheduling a telephone call from a calling party directed to a particular called party, wherein said providing means comprises:

agent module (means) for gleaning said select portions of said calendaring information from a calender data (data file) stored on said calendar system (general purpose processor-based system) (col 4, ln 54-col 5, ln 18 and col 5, ln 62-col 6, ln 60); and

Agent module (means) for manipulating said gleaned information to provide said calendaring information in a format suitable for augmentation into call routing information into

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call routing information of said voice mail system (call routing system) (col 4, ln 54-col 5, ln 18 and col 5, ln 62-col 6, ln 60).

**Regarding claim 7**, with respect to Figure 1, King et al teach a method and system for scheduling a telephone call from a calling party directed to a particular called party further comprises means for selectively disseminating at least a portion of said calendaring information through said call routing system, wherein said disseminated calendaring information results in a humanly perceptible reproduction of said at least a portion of said calendaring information (col 6, ln 35-42).

**As to claims 8-14**, they are rejected for the same reasons set forth to rejecting claims 1-7 above, since claims 8-14 are merely a method of operation for the system defined in the system claims 1-7.

**As to claims 15-20**, they are rejected for the same reasons set forth to rejecting claims 1-6, respectively.

### ***Response to Arguments***

3. Applicant's arguments filed on 02/20/01 have been fully considered but they are not persuasive.

As to Applicant's Remarks, Applicant merely reads the specification into the claims and fails to explicitly point out directly what King does not teach with respect to the claimed limitations. However, based on claimed language of claims 1, 8 and 15, King teaches the invention

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as claimed by providing a system and method for completing a call between two parties, one is a calling party and another one is a called party of course, in which calendaring or scheduling information of a called party, and of calling party as well, is stored in a database within calendar system as shown at column 4, lines 23-52. It is noted that those of ordinary skill in the art will recognize that medium for storing data can be any computer or processor-based system. King further teaches that the calendar or schedule of called party, and of calling party as well, including select portions corresponding time slots and events is provided to agent module where the call routing scheme for completing call between calling and called parties is configured by agent module based on select portions that are concurrently available for both parties or in other word, call routing scheme is configured to route calls as function of select portions corresponding time slots and events of calendaring or schedule information of both parties.

For above reasons, Examiner believes that sustaining King for making final rejection in rejecting the Applicant' claimed invention is appropriate.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6306 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Bing Bui \_\_\_\_ Apr 30, 2001.

  
AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
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